

Summary of Management Duties Outlined in Ollie's Declarations

The Declarants testified that they regularly engage in interviewing, selecting and hiring employees.

Declarant	Paragraph No.
Ahlborn	3,4,5
Baker	9
Berdis	4,5
Bishop, D.	4,5,6
Bishop, J	5,6,9
Boyles	4
Buechele	3,4,6,7,
Burnett, B.	12
Burnett, M.	3,4
Carter	5,12,13
Diamond	7
Ditto	7
Fink	4,5
Freburger	4,5
Giampa	7
Gunia	3
Harris-Garbett	14
Henkel	13
Horn	6
Hunter	5

Declarant	Paragraph No.
Johnson	4,7
Kindel	4
Landini	3
Langenberger	4,5,6
Lee, A.	---
Lee, K.	5
Lemanski	5,6,7
Lewis	6
Lowe	16,17
Maloney	4
Martinez-Santiago	4
Mays	4
Mele	7
Michaels	4
Miers	6
Pegg	7
Porter	9,10,11,12
Rader	6,7
Reedy	5
Reyes, V.	5

Declarant	Paragraph No.
Reves, J.	5,6
Robey	4
Robinette	4,5
Rook	6
Royal	10
Shindel	4,10
Shulk	4
Silverstein	7
Smith	4
Tasker	7
Thompson	--
Trier	4,5,6,7
Wells	4,5
Winsted	7
Wolfe-Fee	10
Worsinger	13

Supervising at least two employees, and usually many more, per shift.

Declarant	Paragraph No.	Declarant	Paragraph
Ahlborn	7,8	Johnson	8
Baker	--	Kindel	--
Berdis	6	Landini	--
Bishop, D.	--	Langenberger	7
Bishop, J	5	Lee, A.	12
Boyles	6	Lee, K.	8,9
Buechele	--	Lemanski	--
Burnett, B.	9	Lewis	7
Burnett, M.	3,6,9,10	Lowe	8
Carter	3	Maloney	10
Diamond	6	Martinez-Santiago	5
Ditto	4	Mays	3
Fink	4	Mele	7
Freburger	3	Michaels	6
Giampa	8	Miers	8
Gunia	7	Pegg	8
Harris-Garbett	3	Porter	8
Henkel	8	Rader	--
Horn	--	Reedy	7
Hunter	7	Reyes, V.	6

Declarant	Paragraph No.
Reves, J.	--
Robev	8
Robinette	--
Rook	--
Royal	4
Shindel	--
Shulk	12
Silverstein	8
Smith	6
Tasker	10
Thompson	--
Trier	3
Wells	7
Winsted	3
Wolfe-Fee	11
Worsinger	9

Assigning duties to employees and ensuring the store is staffed properly.

Declarant	Paragraph No.
Ahlborn	3,7,8
Baker	5,8,12,16
Berdis	9,11
Bishop, D.	3,4,5
Bishop, J	4,6,13
Boyles	8,9,14
Buechele	11,14,18,20
Burnett, B.	12
Burnett, M.	9,15
Carter	15
Diamond	4,5,6
Ditto	14
Fink	4,10,17
Freburger	7,15
Giampa	--
Gunia	10
Harris-Garbett	3,7
Henkel	11
Horn	8,15
Hunter	3,4,8

Declarant	Paragraph No.
Johnson	10
Kindel	7,10
Landini	6
Langenberger	3,8,11
Lee, A.	6,13,18
Lee, K.	4,6,7,11
Lemanski	5,11
Lewis	3,10,11
Lowe	12,18,20
Maloney	9,10
Martinez-Santiago	9,13,16
Mays	9,16
Mele	10,11
Michaels	9,10,15
Miers	3,8
Pegg	6
Porter	3
Rader	8
Reedy	7,8
Reyes, V.	9

Declarant	Paragraph No.
Reyes, J.	8,13
Robey	3,10,11,18
Robinette	10
Rook	4,7
Royal	9
Shindel	5,14
Shulk	9,12,13,17
Silverstein	--
Smith	3,11,12
Tasker	6,9,13
Thompson	7
Trier	4,6,9
Wells	11,12,13,14
Winsted	--
Wolfe-Fee	9,11
Worsinger	5

Managing customer and employee complaints and/or issues.

Declarant	Paragraph No.
Ahlborn	9,11,14
Baker	15
Berdis	8
Bishop, D.	4,8
Bishop, J	5,12,14
Bovles	7,14
Buechele	9
Burnett, B.	7,10
Burnett, M.	8,19
Carter	5,16,18
Diamond	9,16
Ditto	9,15
Fink	4,6
Freburger	8,9,11,12
Giampa	8,9
Gunia	5,6,7
Harris-Garbett	9,10
Henkel	10,14
Horn	8,9,10,11,12
Hunter	13

Declarant	Paragraph No.
Johnson	4
Kindel	--
Landini	4,5,7
Langenberger	12,16
Lee, A.	14
Lee, K.	10
Lemanski	10,18
Lewis	8,9,13
Lowe	19,21
Maloney	11,13
Martinez-Santiago	8,12
Mays	7,8
Mele	9,18
Michaels	7
Miers	9,12
Pegg	9,11
Porter	17,18,21
Rader	9,11,13
Reedv	12,13,17
Reves, V.	--

Declarant	Paragraph No.
Reyes, J.	9,13
Robey	13
Robinette	8,9
Rook	9,10,11
Royal	7,8
Shindel	8,9,13
Shulk	7,8
Silverstein	8
Smith	10
Tasker	12
Thompson	5,6
Trier	14,19
Wells	9,10
Winsted	8
Wolfe-Fee	11,12
Worsinger	15,16

Handling employee review and discipline, and participating in termination decisions.

Declarant	Paragraph No.
Ahlborn	11
Baker	15
Berdis	8
Bishop, D.	--
Bishop, J	12
Boyles	7
Buechele	--
Burnett, B.	10,11
Burnett, M.	8
Carter	5,16
Diamond	9
Ditto	15
Fink	4,6
Freburger	8,9,10,11
Giampa	8
Gunia	5
Harris-Garbett	8,9,10
Henkel	14
Horn	8,9,10
Hunter	--

Declarant	Paragraph No.
Johnson	4
Kindel	--
Landini	4,5
Langenberger	12
Lee, A.	--
Lee, K.	10
Lemanski	10
Lewis	8,9
Lowe	19
Maloney	13
Martinez-Santiago	8
Mays	7
Mele	8,9
Michaels	7
Miers	9,10
Pegg	9
Porter	15,17,18
Rader	9,10,11
Reedy	10,12,13
Reves, V.	7

Declarant	Paragraph No.
Reves, J.	9
Robey	9
Robinette	8
Rook	9,12
Royal	7,8
Shindel	8
Shulk	7
Silverstein	8
Smith	8
Tasker	10,11
Thompson	5
Trier	14
Wells	9,10
Winsted	8
Wolfe-Fee	11
Worsinger	15

Exercising judgment and making decisions relating to merchandising, floor plan and store layout/design, etc.

Declarant	Paragraph No.
Ahlborn	12
Baker	11
Berdis	12
Bishop, D.	3
Bishop, J	5,6,7
Boyles	8,9,10,11
Buechele	11,12,13,14
Burnett, B.	6
Burnett, M.	3,9,11,12,14,15
Carter	5,9
Diamond	7,11,13
Ditto	8,13
Fink	12
Freburger	13
Giampa	6
Gunia	8,9
Harris-Garbett	3,4,5,6
Henkel	5,6,15
Horn	13,15
Hunter	4,11

Declarant	Paragraph No.
Johnson	14
Kindel	12,13
Landini	9,10
Langenberger	3,7,14,15
Lee, A.	6,7,8,10
Lee, K.	8
Lemanski	5,14,15
Lewis	12,15
Lowe	11
Malonev	5,6,8
Martinez-Santiago	14,15,16
Mays	10
Mele	3
Michaels	11,13
Miers	15
Pegg	11
Porter	22,23,24,25
Rader	--
Reedy	14,15
Reyes, V.	8,12,13

Declarant	Paragraph No.
Reyes, J.	12
Robey	10,11,12,16,17
Robinette	12,13
Rook	4,5
Royal	12,13
Shindel	--
Shulk	12
Silverstein	10
Smith	3,13
Tasker	3,13
Thompson	4
Trier	20
Wells	13,14
Winsted	5
Wolfe-Fee	7,8,13
Worsinger	6,11